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Supreme Court, U.S.

FILED

MAR 11 1987

JOSEPH F. SPANIOL, JR.  
CLERK

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No.

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IN THE

SUPREME COURT OF THE UNITED STATES

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OCTOBER TERM, 1987

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DON HANEY,

Petitioner

VS

LOUISIANA TRAINING INSTITUTE

Respondent.

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Petition for Writ of Certiorari to

The United States Court of Appeals

For the Fifth Circuit

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DON HANEY  
303 Gayle Street  
Tallulah, Louisiana 71282

Petitioner Proceeding  
In Pro Se

30P/M



QUESTION PRESENTED FOR REVIEW

- I. May the Sixth Judicial District Courts of Louisiana, sanctioned and assisted by local documented corrupted coercive misdemeanoring intimidating abusive manslaughtering financially motivated disputable Constabularies and a documented corrupted misdemea-  
noring intimidating abusive financially mo-  
tivated Governing authority, arbitrarily,  
in an incessant overtly violative manner,  
continue to deprive the local indigent un-  
sophisticated black American citizenry, pe-  
titioner in particular, of life, liberty,  
and property, without due process of the  
laws, in total blatant violation of the  
United States Constitution ?



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RELIEF; WHETHER AN EMERGENCY ORDER SHALL ISSUE REVERSING PETITIONER'S DOCUMENTED PREVARICATED UNEQUAL SEVEN YEAR SENTENCE UNCONDITIONALLY; WHETHER A RETRO-ACTIVE EMERGENCY ORDER SHALL ISSUE RELEASING ALL LOCAL INDIGENT BLACK INCARCERES, SIMILARLY AFFECTED AS PETITIONER, INCARCERATED WITHIN THE LAST TWENTY (20) YEARS BY THE LOCAL COURTS AFOREDESCRIBED IMMEDIATELY UPON UNBURDENED SATISFACTORY PROOF TO THE FEDERAL DISTRICT COURTS THAT THEIR CONVICTIONS AND INCARCERATIONS WERE OBTAINED BY UNCONSTITUTIONAL METHODS; WHETHER AN EMERGENCY ORDER SHALL ISSUE APPOINTING TOTAL FEDERAL INTERVENTION IN ALL CASES ARISING IN THE LOCAL COURTS IN ORDER TO REMEDY NUMEROUS SPECIFIC INCESSANT PLAIN ERRORS AND PREVENT MANIFEST INJUSTICE, INCLUSIVE OF AWARDING PETITIONER, AND MEMBERS OF THE CLASS, STATUTORY DAMAGES AND PUNITIVE DAMAGES IN THE TOTAL SUM OF \$500,000, AND FOR SUCH FURTHER RELIEF AS THIS HONORABLE COURT DEEM PROPER, INCLUSIVE OF ENSURING THAT THE HANEY FAMILY'S



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For the Fifth Circuit

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Petitioner, DON HANEY, respectfully prays a writ  
of certiorari issue to review this entire action,  
specifically the order of the United States Court  
of Appeals for the Fifth Circuit entered on 10  
February, 1987.



THE OPINION BELOW

The single order of the United States Court of Appeals for the Fifth Circuit was rendered on 10 February, 1987. A copy of the Order is appended hereto.

JURISDICTION

On 10 February, 1987, the United States Court of Appeals for the Fifth Circuit rendered its Order affirming the denial of petitioner's request for a reversal of his seven year sentence, and for such further specific federally mandated Civil Rights Acts relief referred to hereinafter. The jurisdiction of this Honorable Court is invoked under Title 28 USC §1254(1)<sup>1/</sup>.

- 
- 1/ Additional grounds on which jurisdiction of the Supreme Court Of The United States are invoked:

On 6 September, 1978, the Sixth Judicial District Courts of Louisiana and colleagues Ex-Court Judge Cliff Adams, Court Judge Alwine Ragland, Court-appointed attorneys Sam Thomas, Raymond Cannon, and John Crigler, Court-appointed to represent The Haney Family in recovering their \$9,000,000 estate (numerous additional specific local indigent black citizens



are similarly affected), of which they refused to perform; Court Judge Cliff Adams and John Crigler knowingly, willingly, and unlawfully, as are defined in numerous specific United States Criminal Statutes referred to hereto, conveyed (while four (4) members of The Haney Family honorably served concurrently in three (3) separate branches of the United States Military) said estate, consisting of several active oil wells and vast sums of United States Currency in exchange for less than its total monetary value, in favor of local colleague Notary Public-attorney Jack Wly, subsequent to being compelled by local federal district court Judge Tom Stagg to release numerous specific unprivileged local Court estate documents over to The Haney Family in 1981. Consequently, commencing from 1984, 1985, and 1986 respectively, prior to petitioner Don Haney's documented prevaricated unequal seven year sentence, The Haney Family, specifically petitioner and his father Freddie Mack Haney, and numerous additional local indigent black American citizens similarly affected, have been insulted, intimidated, and threatened with physical harm by the local Constabularies and the local Court, consequently, the father have suffered unimaginable undue emotional and physical anguish; have been unlawfully intimidated by State of Louisiana Social Service employee Mr. Calcot, "you won't win" by recovering your valuable estate; threatened by local Sheriff Nick Hendon, "we'll just return and physically arrest you" for refusing to acknowledge the service of numerous unreasonably defective dilatory local Court summons, which are also unlawfully served upon the local indigent black American citizenry; insulted and Civil Rights violated by local Court Judge Alwin Ragland, "if you don't approve of the (conflicting of interest inept



Public Defender), then appeal the case." "You are not in California now." Threatened by local Policeman Billy Guice, as alleged by petitioner, "somebody's going to get burned." On 9 April, 1986, local Court Judge Charles Brackin referred to petitioner's father as a "smart ass." The abovenamed public officials possessed adequate prior knowledge of, and participated in, the unlawful unequal seven year sentence imposed against petitioner. The aforescribed unlawful "practices" continue to occur unabated.

QUESTION PRESENTED FOR REVIEW

- I. May the Sixth Judicial District Courts of Louisiana, sanctioned and assisted by local documented corrupted coercive misdemeanor intimidating abusive manslaughtering financially motivated disputable Constabularies and a documented misdemeanor intimidating abusive financially motivated Governing authority, arbitrarily, in an incessant overtly violative manner, continue to deprive the local indigent unsophisticated black American citizenry, petitioner in particular, of life, liberty, and property, without due process of the laws, in total blatant violation of the United States Constitution ?



## CONSTITUTIONAL PROVISIONS INVOLVED

Amendments 1, 4, 5, 6, 8, and 14 to the United States Constitution provides in pertinent parts respectively:

"...or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

"...and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly, describing the place to be searched, and the persons or things to be seized."

"...nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury...to be informed of the nature and cause of the accusation; to be confronted with witnesses in his favor, and to have the Assistance of Counsel for his defense."

"...Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted."

"...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."



FEDERAL STATUTES INVOLVED

28 USCA §2254, denied Habeas Corpus relief.  
18 USCS §1001, fraud, re \$9,000,000 estate.  
18 USCS §1623, perjury, re above estate.  
18 USCS §371, conspiracy, re above estate.  
18 USCS §662, larceny, re above estate.  
18 USCS §2, abetting, re above estate.  
18 USCS §1510, justice impeded re above estate.  
42 USC §1981, local blacks denied rights.  
42 USC §1982, blacks deprived of property.  
42 USC §1983, petitioner denied rights.

STATE STATUTE INVOLVED

Louisiana Statute Annotated, Article 1001. The Six  
Judicial District Court of Louisiana Knowingly  
Serve Defective Dilatory Summons Upon The Local  
Indigent Black Citizenry In Criminal And Civil  
Actions Causing Unlawful Defaults In The Form Of  
Fines, Deprivation Of Liberty, And Property, With-  
Out Due Process Of Law.

STATEMENT OF THE CASE

On 9 April, 1986, the Sixth Judicial District

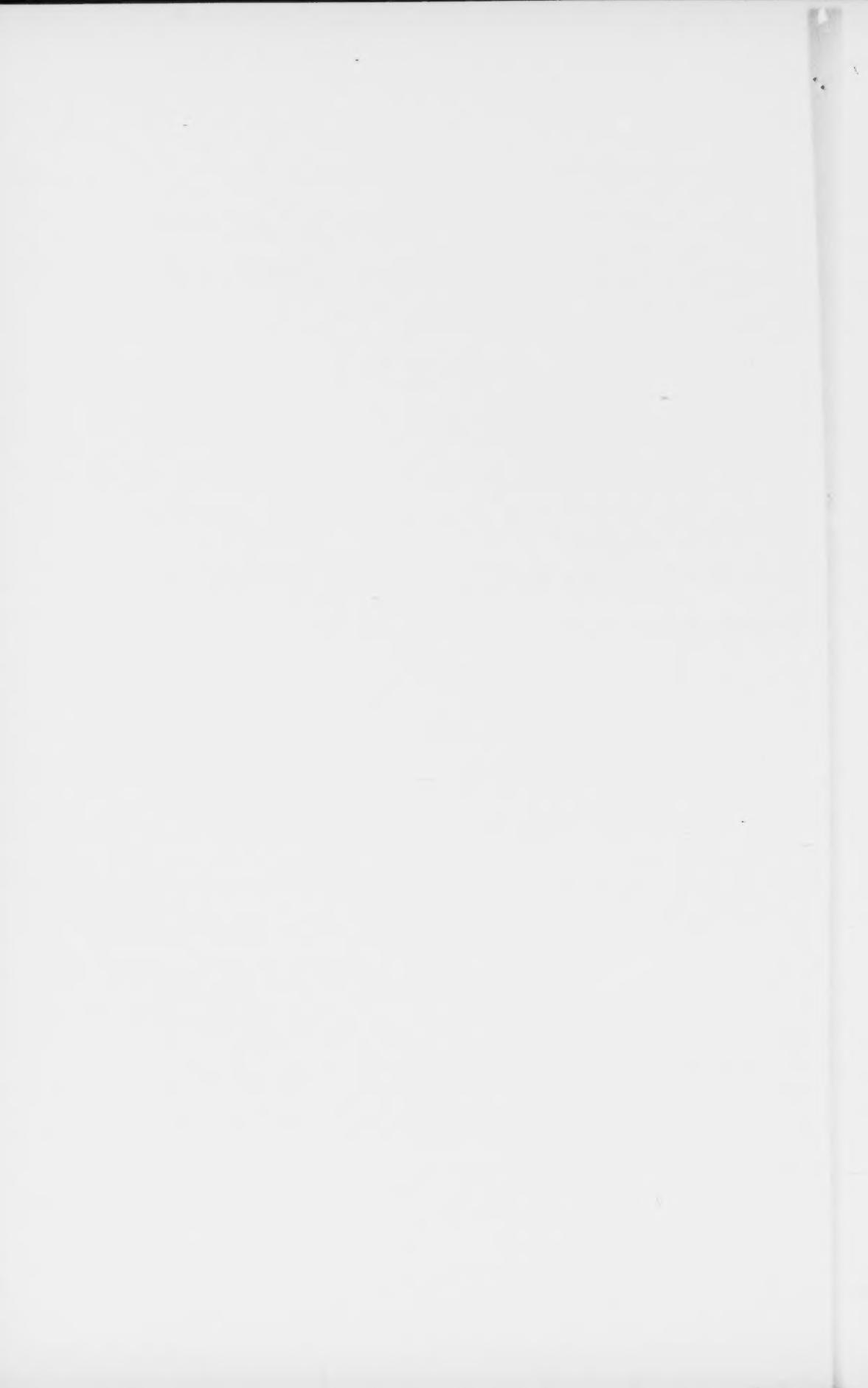


Court of Louisiana (hereinafter "local Courts"), Court Judge Alwine Ragland presiding, petitioner Don Haney, an indigent unsophisticated black American male new arrival from the State of California in order to assist his father Freddie Mack Haney in recovering an unlawful dispossessed, by the local Courts, \$9,000,000 estate, was sentenced to a documented prevaricated unequal seven year sentence at Louisiana Training Institute on account of three criminal charges consisting of alleged verbally disturbing the peace while in the process of being interrogated in the absence of federally mandated Mirandadizations (v. Arizona, 384 U.S. 436 (1966) in connection with a simple burglary in which the local Police Department and local Court possessed adequate prior knowledge petitioner never committed in noncorresponding criminal case number 1333; alleged possession of stolen property (used jogging suit) in noncorresponding criminal case number 1338 or 1334 (the local Court is uncertain of the exact criminal case file number



the hours, dates, weeks, months, and year each and every separate crimes allegedly occurred), and alleged simple burglary in nonexistent criminal case file number 1368. The petitioner alleges that he was forewarned in late 1985 by Probation Officer Social Worker Mrs. Johnnie Mae Bowman that "you better have your fun now, because you won't be free long," prior to the three documented prevaricated criminal charges aforementioned hereto. Copies of noncorresponding criminal case file number 1333 and 1338 (petitioner is unable to submit a copy of alleged criminal case number 1368 since it doesn't exist) are attached as Appendix A.

The local Courts "customarily" prevaricate criminal charges and unequal sentences against local indigent black American citizens. The following is a partial pertinent list of two (out of a total of approximately twenty-six) local specific white American citizens committing numerous specific criminal offenses greater than the alleged criminal offenses committed by petitioner, and



numerous additional local indigent black American citizens similarly affected, commencing the approximate identical period of 1985 and 1986, however, have never been prosecuted:

1. On 5 February, 1986, George Wells, Jr. was indicted on two separate counts of attempted murder against two officials of the law.
2. On 3 September, 1986, George Wells, Sr. was indicted on five separate felony counts, including gross malfeasance in office, public bribery, and arson.

Prior to 9 May, 1986, petitioner timely applied to the local Court requesting Public Defender Raymond Cannon (he also refused to represent The Haney Family in 1978 \$9,000,000 estate controversy) to initiate an appropriate reversal of the afore-described seven year sentence, a copy is attached as Appendix B, was uninitiated. Therefore:

On 8 July, 1986, in the interest of enforcing numerous specific federal statutes, civil, and constitutional rights acts blatantly denied the



petitioner and the local indigent black American citizenry by the local Courts, petitioner initiated a timely Habeas Corpus Petition under Title 28, United States Code, Section 2254, and a Civil Rights Complaint under Title 42, United States Code, Section 1983 requesting a reversal of petitioner's aforedescribed seven year sentence and a request for appropriate federally mandated monetary damages in the total sum of \$500,000, and for such further relief as the Honorable United States District Court for the Western District of Louisiana, Monroe Division, deemed proper. Said federal district court affirmed the local Court's aforedescribed seven year sentence by denying a Writ of Habeas Corpus Petition citing Rose v. Lundy, 455 U.S. 509, (1982), in support of its dismissal without prejudice on 14 July, 1986. A copy is attached as Appendix C. Pursuant to Title 28, United States Code, Section 636(b)(1)(C), a timely Motion In Opposition To Dismiss was filed with said federal district court on 21 July, 1986. On 30



October, 1986, a Judgment was issued by said federal district court dismissing petitioner's Habeas Corpus Petition without prejudice. A copy is attached as Appendix D. On 26 November, 1986, petitioner filed a timely Notice Of Appeal in said federal district court. On 11 December, 1986, said federal district court issued an Order denying petitioner a Certificate Of Probable Cause. A copy is attached as Appendix E.

On 10 February, 1987, citing Richardson v. Procunier, 762 F. 2d 439, 430 (5th Cir 1978) (en banc), the United States Court of Appeals for the Fifth Circuit affirmed the federal district court's denial of petitioner's request for a Certificate of Probable Cause, notwithstanding overwhelming evidence to show that petitioner presented substantive documentation (pleadings and Exhibits on file with both aforenamed federal district courts since 8 July, 1986 and 10 February, 1987 respectively) of numerous specific examples of cruel incessant, blatant federal criminal, civil, and constitutional



rights violations committed by the local Courts, perpetrated against the local indigent black American citizenry, petitioner in particular, commencing from prior to 1968 through the present date of 28 March, 1987. The extent to which these holdings were not addressed are unclear. Under the existing unusual unlawful circumstances, affecting the entire local general black population, the United States of America is empowered to intervene in all cases arising in the local Courts. Copies are attached as Appendix F.

REASON FOR GRANTING THE WRIT

- I. WHETHER PETITIONER, AND IN EXCESS OF FOURTEEN THOUSAND (14,000) LOCAL INDIGENT BLACK AMERICAN CITIZENS SIMILARLY AFFECTED WITHIN THE LAST TWENTY (20) YEARS BY THE SIXTH JUDICIAL DISTRICT COURT OF LOUISIANA, SO NUMEROUS THAT A JOINDER OF THE CLASS IS IMPRACTICAL, ARE ENTITLED TO EXPEDITIOUS HARDSHIP EQUAL PROTECTION OF THE LAWS IN THE FORM OF FEDERAL REMEDIAL RELIEF; WHETHER AN EMERGENCY ORDER



SHALL ISSUE FROM THIS HONORABLE COURT REVERSING PETITIONER'S DOCUMENTED PREVARICATED EQUAL SEVEN YEAR SENTENCE UNCONDITIONALLY; WHETHER A RETRO-ACTIVE EMERGENCY ORDER SHALL ISSUE RELEASING ALL LOCAL INDIGENT BLACK INCARCERES, SIMILARLY AFFECTED AS PETITIONER, INCARCERATED WITHIN THE LAST TWENTY (20) YEARS BY THE LOCAL COURT AFOREMENTIONED UPON UNBURDENED SATISFACTORY PROOF TO THE FEDERAL DISTRICT COURTS THAT THEIR CONVICTIONS AND INCARCERATIONS WERE OBTAINED BY UNCONSTITUTIONAL METHODS; WHETHER AN EMERGENCY ORDER SHALL ISSUE APPOINTING TOTAL FEDERAL INTERVENTION IN ALL CASES ARISING IN THE LOCAL COURTS IN ORDER TO REMEDY NUMEROUS SPECIFIC INCESSANT PLAIN ERRORS AND PREVENT MANIFEST INJUSTICE, INCLUSIVE OF AWARDING PETITIONER, AND MEMBERS OF THE CLASS, STATUTORY DAMAGES AND PUNITIVE DAMAGES IN THE TOTAL SUM OF \$500,000, AND FOR SUCH FURTHER RELIEF AS THIS



HONORABLE COURT DEEM PROPER, INCLUSIVE OF ENSURING THAT THE HANEY FAMILY'S UNLAWFULLY DISPOSSESSED \$9,000,000 ESTATE PROCEEDS ARE EXPEDITIOUSLY RETURNED.

Constitutionally stated, where it is evident that the local aforescribed Courts, sanctioned and assisted by the local aforescribed Constabulary and aforescribed Governing authorities, are arbitrarily depriving the local indigent black American citizenry of their civil, constitutional, and basic individual human rights, which are repugnant to the United States Constitution, urgent remedial relief, statutory compensatory and punitive monetary damages are proper, as occurred in Donald, as executor of the estate of Michael Donald, deceased v. United Klans, Inc., Civil Rights case file number 84-0725-AH, (1986). The local indigent black American citizenry prays to be unshackled by an unprogressive corrupted dictatorial misdemeanoring manslaughtering intimidating abusive financially motivated disreputable



judicial and justice system, and since the local Courts obstantly refuse to obey both State of Louisiana and federal district court orders as occurred in Louisiana v. Policemen Claxton and Guice, criminal case file number 65-935, (1980); Williams Et Al v. Governor McKeithen, Et Al, civil case number 71-98-B, (1981), and Louisiana v. The City of Tallulah, Louisiana, civil case file number 86-282, (1986), appointing a Fiscal Administrator in order to prevent the City of Tallulah, Louisiana from grossly misappropriating an additional in excess of \$2.7 million dollars in State and federal monetary funds mandated in the interest of the local citizenry, in order to correct numerous additional incessant specific wrongs aforescribed hereto in its entirety, the United States of America must act expeditiously "in the interest of justice."

#### Analysis

It is a well established fact, clearly defined in the United States Constitution, that "no State shall make or enforce any law which shall abridge

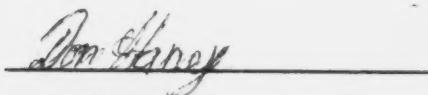


the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, property, or equal protection of the laws." The local Courts, local Constabularies, and local Governing authorities must be compelled by the United States of America to enforce the laws in the interest of the entire local citizenry without regard to race and color undelayed.

#### CONCLUSION

For the foregoing reason, petitioner Don Haney respectfully request that a Writ of Certiorari issue to review this entire unusual hardship controversy, specifically the Order of the United States Court of Appeals for the Fifth Circuit.

Respectfully submitted,

  
\_\_\_\_\_  
DON HANEY  
303 Gayle Street  
Tallulah, Louisiana 71282  
(318) 574-0809



CERTIFICATE OF SERVICE

I do hereby certify that three true and correct copies of the foregoing instrument have been served on the United States Court of Appeals for the Fifth Circuit, c/o The Court Clerk, 600 Camp Street, New Orleans, Louisiana 70130; three true correct copies to Mr. Gary Parker, Assistant United States Attorney General, 500 Fannin Street, Shreveport, Louisiana 71101; three true copies to Mr. William J. Guste, Jr., Attorney General of Louisiana, P.O. Box 44005, Baton Rouge, Louisiana 70804, and Mr. James Caldwell, District Attorney for the Parish of Madison, P.O. Box 1389, Tallulah, Louisiana 71282 by United States Mail, postage pre-paid on the 10th day of April, 1987.

Freddie Mack Haney  
FREDDIE MACK HANEY



APPENDIX A

LOUISIANA TRAINING  
INSTITUTE

Plaintiff-Appellee,

v.

DON HANEY,

Defendant-Appellant.

No. \_\_\_\_\_

United States Court of Appeals

Fifth Circuit

February 10, 1987

Prior to a 9 April, 1986 "traditional" afore-described seven year sentence, defendant Don Haney contacted the local Court (15 October, 1985 and 10 March, 1986), local District Attorney James Caldwell (18 December, 1985), local Court Judge Charles Brackin (4, 7, and 9 April, 1986), and local Court Judge Alwine Ragland (24 November, 1985) requesting that the unlawful "practices" aforedescribed on page 5 and 6 hereto immediately desist. To no avail.



## APPENDIX B

Subsequent to a 9 April, 1986 "customary" seven year sentence aforedescribed on page 7 and 8 here-to, defendant, subsequent to demonstrating the ability to substantiate in excess of ninety-three (93) major federal criminal, civil, and constitutional rights violations committed by the local Courts, perpetrated against petitioner and numerous additional local indigent black American citizens similarly affected, was denied a reversal of the seven year sentence and additional appropriate emergency Civil Rights Acts relief as are provided under numerous federal mandates.



## APPENDIX C

Defendant was blatantly denied a reversal of a aforedescribed seven year sentence imposed by the identical local Court, by the identical Assistant District Attorney, by the identical Court-appointed District Attorney, by the identical Court Judge, which unlawfully dispossessed The Haney Family of their \$9,000,000 estate on September 6, 1978, and the United States District Court for the Western District of Louisiana, Monroe Division, United States Magistrate James Barton presiding, affirmed said documented noncorresponding nonexisting unequal seven year sentence on 15 July, 1986. The documented evidence of the existence of numerous incessant blatant federal criminal, civil, and constitutional rights violations were never addressed by the abovenamed federal district court, which is unprecedented in the annals of the American judicial system.



APPENDIX D

On an appeal filed by defendant on 15 July, 1986, the United States District Court for the Western District of Louisiana, Monroe Division, United States Judge Donald E. Walter presiding, dismissed defendant's Habeas Corpus Petition without prejudice, and, unfortunately, refused to address the urgent issue of the incessant overt federal criminal, civil, and constitutional rights violations relentlessly perpetrated against the local indigent black American citizenry, defendant in particular, by the local Sixth Judicial District Court of Louisiana with public official impunity.



## APPENDIX E

Defendant timely applied to the United States District Court for the Western District of Louisiana, Monroe Division, United States Judge Donald E. Walter presiding, for a Certificate Of Probable Cause in order to proceed to the United States Court of Appeals for the Fifth Circuit in order to appeal the dismissal of said Habeas Corpus Petition (and Civil Rights Complaint), said Certificate Of Probable Cause was denied on 11 December, 1986. The urgent issue of the overt federal criminal, civil, and constitutional rights violations cruelly perpetrated against the local indigent black American citizenry, defendant in particular, by the local Courts with uncaring ruthlessness, was never addressed. The United States must intervene in all cases arising in the local Courts in order to prevent further irreparable damages.



## APPENDIX F

On 10 February, 1987, the United States Court of Appeals for the Fifth Circuit, Circuit Judge Alvin B. Rubin presiding, affirmed the Order of the United States District Court for the Western District of Louisiana, Monroe Division, denying defendant a Certificate of Probable Cause, and, unfortunately, refused to address the urgent issue of incessant blatant federal criminal, civil, and constitutional rights violations, perpetrated against the local indigent black American citizenry, defendant in particular, by the local Courts, with uncaring dehumanizations.